REMARKS/ARGUMENTS

Claims 1-30 are pending in the application. Claims 1, 9-10, 13, 15-18, 22, and 24-27 have been amended. Reconsideration is respectfully requested. Applicants submit that the pending claims 1-30 are patentable over the art of record and allowance is respectfully requested of claims 1-30.

Applicants would like to thank Examiner Bruckart for holding a telephone interview with their representative, Janaki K. Davda, on September 13, 2007. Proposed claim amendments to claim 1 and claims 9 and 10 were discussed. No agreement was reached.

Claim 10 was objected to. Applicants have amended claim 10 to overcome the objection and place the claim in better form.

Claims 1-11, 13-19, and 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent Publication No. 2002/0049845 by Sreenivasan et al in view of U.S. Patent Publication 2003/0126202 by Watt. Applicants respectfully traverse, but, in order to expedite prosecution, Applicants have amended certain claims.

Amended claim 1 describes at least two active server processes, including a first server process and a second server process, adapted to perform tasks issued by a browser, wherein the first server process and the second server process are each on a cluster configured to be a domain server, wherein the first server process and the second server process are not on a same cluster, wherein the first server process and the second server process each have a list of agent processes within a domain that are registered with that server process, and wherein the first server process and the second server process each forward each task issued by the browser to that server process to a registered agent process to perform that task (e.g., Specification, page 5, paragraph 13; page 6, paragraph 16; page 7, paragraph 18; page 11, paragraph 33; Figures 1A – 1E). A server system comprises two clusters, wherein each of the two clusters is aware of the first server process and the second server process (e.g., Specification, page 6, paragraph 16). Each of the two clusters includes:

a first agent process at the cluster that is registered with the first server process to notify the first server process that the first agent process exists to perform tasks for the first server process to complete the tasks issued by the browser, wherein the first agent process and the first server process form a first agent/server pair; a second agent process at the cluster that is registered with the second server process to notify the second server process that the second agent process exists to perform tasks for the second server process to complete the tasks issued by the browser, wherein the second server process is different from the first server process with which the first agent process is registered, wherein the second agent process and the second server process form a second agent/server pair; and wherein when one of the first agent/server pair and the second agent/server pair fails, the other of the first agent/server pair and the second agent/server pair continues processing in the cluster (e.g., Specification, page 11, paragraph 33).

The Sreenivasan patent application describes a high availability computing system that includes a plurality of computer nodes (Abstract). A group communications service, a membership service, and a system resource manager on each node communicate with other nodes to detect node failures and to transfer applications to other nodes on detecting node failure (Abstract). A Group Communication Services (GCS) is a distributed service layered on top of the Cluster Membership Service (CMS) (page 8, paragraph 148). The CMS presents a consistent view of node membership in the presence of node and network failures, and the *GCS, in contrast, provides a consistent view of group membership in the presence of process failures and changing node membership* (pages 8-9, paragraphs 148-149). The terms GCS instance and Group Communication Daemon (GCD) are used interchangeably throughout the Sreenivasan specification (page 9, paragraph 152). A GCS is implemented as a collection of GCD processes, *one process being active on each node of the cluster, and each GCD process registers with the local CMS service* (page 9, paragraph 168).

On the other hand, amended claim 1 describes the first server process and the second server process are *each on a different cluster configured to be a domain server*. Thus, the GCD processes, which are on nodes of a same cluster do not teach or suggest the claimed server processes on different clusters.

Moreover, the claimed server processes are adapted to perform tasks issued by a browser, each have a list of agent processes within a domain that are registered with that server process, and each forward each task issued by the browser to that server process to a registered agent

process to perform that task. On the other hand, the Sreenivasan patent application describes that *CMS presents a consistent view of node membership in the presence of node and network failures, and the GCS, in contrast, provides a consistent view of group membership in the presence of process failures and changing node membership. . . , and each GCD process registers with the local CMS service.* The GCD process registering with the local CMS process does not teach or suggest the claimed agent process registering with the claimed server process to form an agent/server pair, wherein the claimed server processes are adapted to perform tasks issued by a browser and each forward each task issued by the browser to that server process to a registered agent process to perform that task.

Amended claim 1 describes that when one of the first agent/server pair and the second agent/server pair fails, the other of the first agent/server pair and the second agent/server pair continues processing in the cluster. On the other hand, the Sreenivasan patent describes that nodes in a cluster run their own copy of the operating system and are largely independent from each other, and, when one node fails, other nodes are left intact and able to operate (page 3, paragraph 37). The Sreenivasan patent does not teach or suggest the claimed first agent/server pair and the second agent/server pair, wherein the first server process and the second server process are each on a different cluster configured to be a domain server, and each cluster includes a first agent process and a second agent process that are registered with the first server process and second server process that are on different clusters.

Also, amended claim 1 describes that the first server process and the second server process are each on a different cluster configured to be a domain server and in a server system comprising two clusters, each of the two clusters is aware of the first server process and the second server process. The Examiner submits on page 4 of the Final Office Action that the Sreenivasan patent application fails to teach more than one cluster.

Applicants respectfully submit that the Watts patent application does not describe the subject matter of amended claim 1.

Thus, claim 1 is not taught or suggested by the Sreenivasan or Watt patent applications, either alone or in combination.

Claims 13 and 22 are not taught or suggested by the Sreenivasan or Watt patent applications, either alone or in combination.

Each of dependent claims 2-11, 14-19, and 23-28 incorporates the language of one of independent claims 1, 13, and 22 and adds additional novel elements. Therefore, dependent claims 2-11, 14-19, and 23-28 are not taught or suggested by the Sreenivasan or Watt patent applications, either alone or in combination, for at least the same reasons as were discussed with respect to claims 1, 13, and 22.

In addition, amended claim 9 describes, for example, means for collecting configuration information. Amended claim 9 describes, under control of the first agent process in the first agent/server pair, (i) means for retrieving stored configuration and state information and (ii) means for transmitting the retrieved configuration and state information to the first server process in the first agent/server pair; and, under control of the second agent process in the second agent/server pair, (i) means for retrieving stored configuration and state information (ii) means for transmitting the retrieved configuration and state information to the second server process in the first agent/server pair. Neither the Sreenivasan nor the Watts patent applications, either alone or together, teaches or suggests that each agent process in an agent/server pair transmits the retrieved configuration and state information to the server process in that agent/server pair.

Furthermore, amended claim 10 describes, for example, means for receiving at least one of changed configuration information and changed state information for the cluster. Amended claim 10 describes, under control of the first agent process in the first agent/server pair, (i) means for retrieving the stored at least one of changed configuration information and state information and (ii) means for transmitting the retrieved at least one of changed configuration information and state information to the first server process in the first agent/server pair, and, under control of the second agent process in the second agent/server pair, (i) means for retrieving the stored at least one of changed configuration information and state information and (ii) means for transmitting the retrieved at least one of changed configuration information and state information to the second server process in the second agent/server pair. Neither the Sreenivasan nor the Watts patent applications, either alone or together, teaches or suggests that, when at least one of changed configuration information and changed state information for the cluster is received, each agent process in an agent/server pair transmits the retrieved configuration and state information to the server process in that agent/server pair.

Claims 12, 20, 21, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent Publication No. 2002/0049845 by Sreenivasan et al in view of U.S. Patent Publication 2003/0126202 by Watt in further view of U.S. Patent No. 6,847,984 by Midgley et al in further view of U.S. Patent Publication 20010014908 by Lo et al. Applicants respectfully traverse, but, in order to expedite prosecution, Applicants have amended certain claims.

Applicants respectfully submit that independent claims 1, 13, and 22 are not taught or suggested by the Sreenivasan and Watt patent applications, that the Midgley and Lo patents do not cure the defects of the Sreenivasan and Watt patent applications, and that the cited combination does not teach or suggest the subject matter of claims 1, 13, and 22.

Each of dependent claims 12, 20, 21, and 29-30 incorporates the language of one of independent claims 1, 13, and 22 and adds additional novel elements. Therefore, dependent claims 10, 17-18, and 26-27 are not taught or suggested by the Sreenivasan, Watt, Midgley, or Lo references, either alone or in combination.

Conclusion

For all the above reasons, Applicants submit that the pending claims 1-30 are patentable. Should any additional fees be required beyond those paid, please charge Deposit Account No. 09-0449.

The attorney of record invites the Examiner to contact her at (310) 553-7973 if the Examiner believes such contact would advance the prosecution of the case.

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